

The libel alleged also that the article, while held for sale, was misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7050.

DISPOSITION: 1-24-62. Default—destruction.

28489. Lecitabs (lecithin tablets). (F.D.C. No. 46968. S. No. 34-677 T.)

QUANTITY: 56 90-tablet btl. and 13 180-tablet btl. at Minneapolis, Minn.

SHIPPED: Between 6-23-61 and 10-4-61, from Chicago, Ill., by National Lecithin, Inc.

LABEL IN PART: (Btl.) "National Lecitabs Lecithin Tablets A Natural Food Product Highly concentrated extra rich, Soya Lecithin formula of 95% oil free Phosphatides. Ingredients: Soya Lecithin, in a base of non-fat, dry milk solids and soy protein. Natural flavoring added. Sole Distributors: National Lecithin, Inc., Chicago 26, Ill. * * * a dietary supplement of natural lipotropic factors. * * * a rich, natural source of Lecithin, Cephalin, Choline and Inositol Phosphatides * * * rich in both linoleic and linolenic acids."

LIBELED: 2-20-62, Dist. Minn.

CHARGE: 403(a)—when shipped, the label contained false and misleading representations that the article was of significant value for special dietary supplementation by reason of the presence therein of lipotropic factors, cephalin and linoleic and linolenic acids; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of the presence of choline and inositol and its label failed to bear, as required by regulations, a statement of the quantity of choline and inositol in a specified quantity of such food, which is a quantity reasonably suitable for and practicable of consumption within a period of one day.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7049.

DISPOSITION: 4-6-62. Default—destruction.

28490. Kiddy Kaps vitamins. (F.D.C. No. 47138. S. Nos. 9-680 T, 10-684 T.)

QUANTITY: 106 24-tablet btl., 5 cases, 24 100-tablet btl. each, and 6 cases, 12 250-tablet btl. each, of Kiddy Kaps Tastitreat; 17 32,000-tablet drums of Kiddy Kaps Vitamin Chew tablets; and 32 cases, 24 100-tablet btl. each and 18 cases, 12 250-tablet btl. each, of Kiddy Kaps Vitamin Treat; at Buffalo, N.Y., in possession of Republic Drug Co., Inc.

SHIPPED: Between 11-9-61 and 12-29-61, from Englewood, N.J., and Cleveland, Ohio, to Buffalo, N.Y.

LABEL IN PART: (Btl.) "Kiddy Kaps Tastitreat Sugar Free Vitamin Treat for Children * * * Republic Drug Company, Inc., Buffalo, N.Y. Distributors"; (drum) "Manufactured For Republic Drug Company, Inc., Vitamin Chew Tablets"; and (btl.) "Kiddy Kaps Vitamin Treat for Children * * * Republic Drug Company, Inc., Distributors Buffalo, New York."

ACCOMPANYING LABELING: Streamers entitled "Kiddy Kap Childrens Vitamins"; place cards entitled "Free Reg. \$1.00 Size Kiddy-Kaps"; newspaper advertisement mats and impressions of same, reading, in part, "Fight Colds Build Strong Bodies * * * Kiddy Kaps," and extra bottle labels.

RESULTS OF INVESTIGATION: The dealer had repacked the Kiddy Kaps Tastitreat tablets from bulk stock and the Kiddy Kaps Vitamin Treat tablets from the 32,000-tablet drums. The bulk stock and the drums had been shipped as described above. The accompanying labeling was printed locally.

LIBELED: 2-23-62, W. Dist. N.Y.

CHARGE: 403(j)—while held for sale, the articles purported to be and were represented as foods for special dietary use by children, by reason of their vitamin content, and their labels (repacked) failed to bear, as required by regulations (Tastitreat) a statement of the proportion of the minimum daily requirement for vitamin A, vitamin B₁, vitamin C, riboflavin, and niacinamide, supplied by such food when consumed by children in a specified quantity during the period of one day; and (Vitamin Treat— 32- and 18-case lots) the statement "The need for calcium pantothenate in human nutrition has not been established."

The articles were also alleged to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7044.

DISPOSITION: 4-5-62. Consent—claimed by Republic Drug Co., Inc., and relabeled.

28491. Hematonic Formula capsules and B complex capsules. (F.D.C. No. 46747. S. Nos. 7-192/3 T.)

QUANTITY: 56 ctnd. btls. of Hematonic Formula capsules and 15 ctnd. btls. of B complex capsules, at Gloucester, Mass.

SHIPPED: Between 11-17-59 and 6-21-60, from Dallas, Tex.

LABEL IN PART: (Ctn. and btl.) "100 Capsules Hematonic Formula An Anti-Anemia Formula Vitamin B₁₂-B₁, Liver Stomach with Intrinsic Factors and Iron * * * Each capsule contains; * * * Folic Acid 1 Mg." and (ctn. and btl.) "100 Capsules High Potency B Complex With Vitamin B-12, Minerals, Liver, Lipotropes and Intrinsic Factors * * * Each Coated Tablet Contains: * * * Folic Acid 0.5 Mg."

LIBELED: 12-1-61, Dist. Mass.

CHARGE: 402(a) (2) (C)—while held for sale, the article contained a food additive, namely, folic acid, which is unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 7012.

DISPOSITION: 1-15-62. Default—destruction.

28492. Saccharin tablets. (F.D.C. No. 47670. S. No. 73-846 T.)

QUANTITY: 1 drum, containing 50,000 1-gr. tablets; 3 drums, each containing 400,000 ¼-gr. tablets, 24 1,000 ½-gr. tablet btls., and 24 1,000 ¼-gr. tablet btls., at Brooklyn, N.Y., in possession of Jamco Co.

SHIPPED: 3-22-62 and 4-17-62, from Newark, N.J., by Certified Aspirin Corp.

LABEL IN PART: (Drum) "1 Grain [or "¼ grain"] Saacharin * * * Certified Aspirin Corp. 25 Prospect Street, Newark, N.J." and (btl.) "Jamco * * * Saccharin ½ Grain [or "¼ Grain"] Jamco Company Distributors—New York, N.Y."